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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,214	09/18/2000	ATM Shafiqul Khalid	MSI-571US	4287

22801 7590 10/08/2003

LEE & HAYES PLLC  
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SPOKANE, WA 99201

EXAMINER
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CHAVIS, JOHN Q

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 10/08/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n N .

09/665,214

Applicant(s)

KHALID ET AL.

Examiner

John Q. Chavis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7-14-03
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Applicant's arguments filed 7-14-03 have been fully considered but they are not persuasive, as indicated in the previous action and in response to the applicant's remarks below.

***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-2, 5-6, 8-9, 11-13, 15-16, 18-19, 21, 24-26, 28-35, and 37-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Hester et al., as cited in the previous action. The applicant should refer to the previous action for its teaching; since, those details will not be repeated here.

The applicant for some reason provides a discussion of a registry; however, it is not clear which, if any of the claims above cite such feature. Therefore, no further comments will be made in response to unclaimed features. There is a registry claimed in claim 7; however, the features of that claim are not indicated or discussed under 35 USC 102. Furthermore, the applicant clearly indicates that the common configuration data structure and the registry is not something invented by him, see response page 18 starting on line 18. He indicates that a common configuration data structure was introduced with the advent of more advanced Operating Systems (OSs). He further indicates that it is called a "Registry" (prior art). Therefore, the feature he is arguing is not considered to have been something new and non obvious to the "Advent of more advanced OSs. He further indicates that some of the more advanced OSs are Windows NT and Windows 95.

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Hester indicates that his system is embodied in Windows NT, col. 2 lines 62-65.

Therefore, the features are considered inherent in Hester's system. Also, it is further considered that 8 bit, 16 bit and 32 bit operating systems are **different configurations** and therefore require different configuration files to access the various environments, see col. 1 lines 25-35 and col. 2 lines 58-61. Hester's "remapper" is further considered to provide the table functions and the applicant should note that there are times when this is used instead of ROM, col. 3 lines 48-56. Hester's system enables compatibility between different configurations via his common configuration data structure, col. 6 lines 1-13.

The applicant further talks about storing of configuration settings; while, it is not clear which claim indicates this feature. Also, the sentence in which this is mentioned that "Hester does not appear to disclose a BIOS does not store configuration settings as...", on page 19 lines 7-9 is confusing and not clear. Therefore, unclear features will not be addressed further.

Further suggestions are made by the applicant to indicate that he is not sure why the Richman reference was cited; however, the purpose has been clearly specified in the previous action (for example, to indicate the registry feature that is inherent in Hester, as indicated above. Each of the applicant's claimed features are taught by Hester, as indicated in the previous action and further discussed above.

#### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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5. Claims 3-4, 7, 10, 14, 17, 20, 22-23, 27, 36, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hester as applied to claims 1-6 above and in the previous action, and further in view of Richman, as cited in the previous action.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Q. Chavis whose telephone number is 703-305-9665. The examiner can normally be reached on 8:30 am-5:00 pm Est.

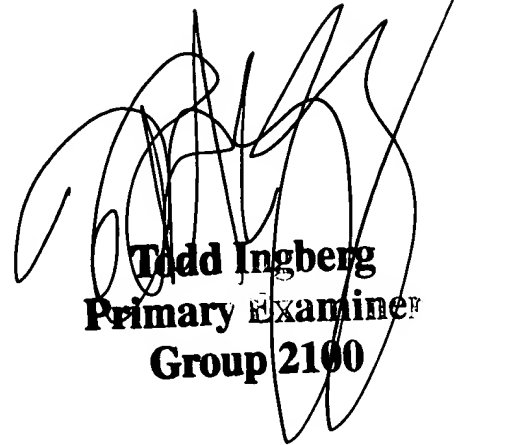
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on 703-305-9662. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-3900.



Jqc  
September 25, 2003



**Todd Ingberg**  
**Primary Examiner**  
**Group 2100**